

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RCC FABRICATORS, INC.,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
UMOJA ERECTORS, LLC, et al.,	:	No. 17-5304
Defendants.	:	
	:	

**ORDER**

**TIMOTHY R. RICE**

**April 26, 2021**

AND NOW, on **April 26, 2021**, upon review of the parties' pre-trial memoranda (docs. 70-72), and following a telephone call with counsel, it is ORDERED that:

1. This case concerns approximately \$200,000 that was never paid for fabricated steel in a construction project. The parties struggle to separate this discrete issue from the larger, more complicated matter concerning the overall project currently pending before Judge Pratter. D.A Nolt, Inc. v. Philadelphia Municipal Authority, et al., No. 18-4997. Therefore, pursuant to Fed. R. Evid. 611, I issue the following trial limitations to avoid wasting time, duplication of testimony, and to ensure this proceeding is most effective for determining the truth. Duquesne Light Co. v. Westinghouse Elec. Corp., 66 F.3d 604, 609 (3d Cir. 1995) (explaining time limits are permitted and may "increase[] the efficiency of the trial from everybody's perspective").

2. Each party will have 5.5 hours to present its witnesses. That time will be equally divided between direct and cross-examination of witnesses; because there are 3 parties, parties are warned that this may limit an individual party's cross-examination to half the time of the direct examination.

3. Trial will run from 9:30 a.m.-5:00 p.m. Tuesday through Thursday, with a one-

hour daily lunch break and two 15-minute breaks each day, one in the morning and one in the afternoon. Because the parties have agreed to waive opening arguments, Plaintiff's case should be finished no later than 4:30 p.m. on Tuesday; the first Defendant's case should be finished no later than 4:00 p.m. Wednesday; and the second Defendant's case should be finished no later than 3:30 p.m. on Thursday. Defendants may negotiate among themselves, if they choose, to reallocate their time. The parties will each have one-half hour for closing arguments starting no later than 3:30 p.m. on Thursday.

BY THE COURT:

/s/ Timothy R. Rice

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TIMOTHY R. RICE  
U.S. MAGISTRATE JUDGE